



# Chemical Safety and Hazard Investigation Board

OFFICE OF GENERAL COUNSEL

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Memorandum

To: Board Members  
From: Richard C. Loeb *RCL*  
Cc: Leadership Team  
Subject: Board Action Report – Notation Item 2015-26  
Date: April 23, 2015

On April 20, 2015, the Board approved Notation Item 2015-26, thereby delegating to Member Griffon various executive and administrative authorities necessary for the administration of the CSB, until the close of business on June 24, 2015, or upon the President's appointment of a Chairperson of the CSB, whichever occurs first. Notation Item 2015-26 is attached to this Report.

Voting Summary – Notation Item 2015-26

**Disposition: APPROVED**

**Disposition date: April 20, 2015**

	Approve	Disapprove	Calendar	Not Participating	Date
M. Griffon	X				4/21/2015
M. Ehrlich	X				4/20/2015
R. Engler	X				4/20/2015



U.S. Chemical Safety and Hazard Investigation Board

MEMORANDUM

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April 20, 2015

To: Board Members  
From: Manny Ehrlich *MRE*  
Cc: Leadership Team  
Subject: Urgent Notation Item 2015-26

Attached for your review and vote is Urgent Notation Item 2015-26. This item provides for the delegation of CSB administrative and executive authorities.

Please direct any questions about this item to Mark Griffon. Please return your completed vote sheets to Kara Wenzel no later than the close of business on April 24, 2015. Thank you for your attention to this item.

**U.S. Chemical Safety and  
Hazard Investigation Board**

2175 K Street, NW • Suite 650 • Washington, DC 20037-1809  
Phone: (202) 261-7600 • Fax: (202) 261-7650  
www.csb.gov

**Manny Ehrlich, Jr.**  
Board Member

**Rick Engler**  
Board Member

**Mark Griffon**  
Board Member



**CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
MEMBER VOTING RECORD**

**Notation No.:** 2015-26

**Voting Period:** Urgent Notation Item: April 20 – April 24, 2015

**Subject:** *Delegation of CSB Administrative and Executive Authorities*

Whereas:

1. The position of CSB Chairperson became vacant on March 27, 2015;
2. The executive and administrative authority of the CSB must be carried out until such time as a new Chairperson is appointed by the President; and
3. The Department of Justice Office of Legal Counsel, on April 19, 2002, provided an opinion on the delegation of administrative and executive authorities while the position of Chairperson is vacant.

Therefore, the Board hereby votes to delegate to Member Griffon the following authorities:

- 1) Personnel Administration: Authority over all personnel matters and personnel actions, including, but not limited to, the appointment and supervision of staff employed by the CSB, except that the appointment of the head of any major administrative unit of the CSB or of the Managing Director of the CSB requires a majority vote of the Board. The term personnel matters as used in this subsection shall not include the Equal Employment Opportunity (EEO) obligations of the CSB.
- 2) Distribution of business: Authority over distribution of business among the personnel employed by the CSB and among the administrative units of the CSB.

**Notation No.: 2015-26**

**Subject:** *Delegation of CSB Administrative and Executive Authorities*

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3) Use and Expenditure of Funds: Authority to control the use and expenditure of funds, including the power to authorize and execute contracts and interagency transfers in an amount not to exceed \$50,000. Authority to control the preparation of the CSB budget, except that final approval of the budget and submission or transmission of the budget as described in 42 U.S.C. § 7412(r)(6)(R) requires a majority vote of the Board.

3) Settlement Authority: Authority to take all appropriate action, including the execution of agreements and the expenditure of funds in an amount necessary, to settle and resolve all MSPB appeals or EEOC and OSC complaints filed against the CSB.

4) Investigations: Authority to authorize the initiation of an accident investigation and the deployment of investigators, subject to a vote by the Board to recall the investigators and cancel the investigation.

5) Conduct of Board Meetings: Authority to preside at meetings where a quorum of Board Members is present, consistent with the Sunshine Act and the CSB regulations implementing the Act.

6) Official Communications: Authority to supervise and authorize the response to all inquiries from Congress, the media, and the public concerning the Board and/or the CSB. Authority to supervise the preparation of all official statements and other communications concerning, or on behalf of, the Board and/or the CSB. Authority to make and/or authorize all statements, written communications, and pronouncements on behalf of the Board and/or the CSB, and the authority to supervise and oversee the CSB Equal Employment Opportunity (EEO) Director and the CSB EEO Office.

This delegation of administrative and executive authorities shall remain in effect until the close of business on June 24, 2015, or upon the President's appointment of a Chairperson of the CSB, whichever occurs first.

\_\_\_\_\_ I **APPROVE** this notation item **AS PRESENTED**.

\_\_\_\_\_ I **CALENDAR** this notation item for discussion at a Board meeting.  
\_\_\_\_\_ *Some of my concerns are discussed below or on the attached memorandum.*

\_\_\_\_\_ I **DISAPPROVE** this notation item.  
\_\_\_\_\_ *A dissent is attached.*      \_\_\_\_\_ *I will not file a dissent.*

\_\_\_\_\_ I am **NOT PARTICIPATING**.

Date: \_\_\_\_\_

Member: \_\_\_\_\_